

1 JUDGE STEINBERG: Okay. I will receive the
2 exhibit and you can cross-examine Mr. La Follette as to the
3 programming things. If there are legal conclusions in
4 there, I will draw my own legal conclusions based upon your
5 findings, your findings and conclusions that you give me.
6 I'm certainly not going to defer to Mr. La Follette's legal
7 conclusions so you don't have to worry about that.

8 If after your cross-examination you want to
9 revisit this matter, I will allow you to revisit this
10 matter.

11 MR. NAFTALIN: Thank you.

12 JUDGE STEINBERG: But for now Exhibit 6 is
13 received.

14 (The document referred to,
15 having been previously marked
16 for identification as Mass
17 Media Bureau Exhibit No. 6,
18 was received into evidence.)

19 MR. ARONOWITZ: I next --

20 JUDGE STEINBERG: Let me just -- one of the things
21 that has been bothering me about this case right from the
22 beginning, and I may as well put it on the record now, is
23 the transfer of control issue, obviously; issues two and
24 issues six. And I just -- I don't really know that I know
25 the distinction between what was done in this case; namely,

1 a network affiliation agreement -- something electrical
2 smells, doesn't it?

3 MR. ARONOWITZ: It sure does.

4 JUDGE STEINBERG: Yes. So this might shorten the
5 hearing because we could all die.

6 But you have got a network affiliation agreement
7 and rebroadcast agreements in this particular case, and the
8 Commission is saying that this is -- alleging that this is
9 a transfer of control or an abandonment of control,
10 depending upon which party you are. And one thing I kind of
11 need explained to me, whether it's through witnesses or
12 through findings and conclusions, is what's the difference
13 between what was done here and what's done in the normal,
14 routine, every day local marketing agreement known as an
15 LMA.

16 In other words, I would like somebody to tell me,
17 either through the witnesses, if appropriate, or through
18 findings and conclusions why the Turro and MMBI relationship
19 constitutes an unauthorized transfer of control or
20 abandonment of control in violation of 3(10)(d) of the
21 Communications Act whereas a local marketing agreement or
22 LMA doesn't.

23 And, you know, I think there are some cases and
24 some situations where you've got one operator in a market
25 operating three, two, three, four stations. But anyway, my

1 concern is here, and I would like it to be addressed. If
2 you need to tailor your questioning to -- I don't know if
3 there is any witness that can address it. But at least I
4 want it out, this is one of my concerns, and I would like
5 that addressed in findings and conclusions, at a minimum.

6 Okay, let's go on to the next exhibit.

7 MR. ARONOWITZ: Absolutely. Okay, the next
8 document is a -- I would like to identify as Mass Media
9 Bureau Exhibit No. 7 a three-page item that is a June 21,
10 1995 letter of inquiry from the Mass Media Bureau to Mr.
11 Turro.

12 JUDGE STEINBERG: Okay, the document described
13 will be marked as Bureau Exhibit 7.

14 (The document referred to was
15 marked for identification as
16 Mass Media Bureau Exhibit No.
17 7.)

18 MR. NAFTALIN: No objection.

19 MR. RILEY: No objection, Your Honor.

20 JUDGE STEINBERG: Okay, Exhibit 7 will be
21 received.

22 //

23 //

24 //

25 //

1 (The document referred to,
2 having been previously marked
3 for identification as Mass
4 Media Bureau Exhibit No.7, was
5 received into evidence.)

6 MR. ARONOWITZ: I identify for the record Mass
7 Media Bureau Exhibit No. 8, a 33-page document that
8 represents the July 28, 1995 response of Mr. Turro to the
9 letter of inquiry.

10 MR. NAFTALIN: No objection.

11 JUDGE STEINBERG: The document described will be
12 marked for identification as Bureau Exhibit 8.

13 (The document referred to was
14 marked for identification as
15 Mass Media Bureau Exhibit No.
16 8.)

17 MR. NAFTALIN: No objection.

18 MR. RILEY: I have no objection, Your Honor.

19 JUDGE STEINBERG: Okay, Exhibit 8 is received.

20 (The document referred to,
21 having been previously marked
22 for identification as Mass
23 Media Bureau Exhibit No. 8,
24 was received into evidence.)

25 MR. ARONOWITZ: I identify for the record Mass

1 Media Bureau Exhibit No. 9, which is a nine-page document
2 which is the application of Mr. Turro for Intercity relay
3 station WMG-499, a copy of the license and official
4 conditions of the grant. I have identified that as a nine-
5 page document?

6 JUDGE STEINBERG: I get 10. A 10-page document.
7 It will be marked for identification as Bureau Exhibit 9.

8 (The document referred to was
9 marked for identification as
10 Mass Media Bureau Exhibit No.
11 9.)

12 MR. RILEY: I have no objection.

13 MR. NAFTALIN: No objection.

14 JUDGE STEINBERG: Exhibit 9 is received.

15 (The document referred to,
16 having been previously marked
17 for identification as Mass
18 Media Bureau Exhibit No. 9,
19 was received into evidence.)

20 MR. ARONOWITZ: Okay, I next identify Mass Media
21 Bureau Exhibit No. 10. It's a five-page document. It's a
22 June 21, 1995 letter of inquiry from the Mass Media Bureau
23 to Monticello Mountaintop Broadcasting, Inc.

24 JUDGE STEINBERG: Okay, the document described
25 will be marked for identification as Bureau Exhibit 10.

1 (The document referred to was
2 marked for identification as
3 Mass Media Bureau Exhibit No.
4 10.)

5 MR. RILEY: No objection, Your Honor.

6 MR. NAFTALIN: No objection.

7 JUDGE STEINBERG: And No. 10 is received.

8 (The document referred to,
9 having been previously marked
10 for identification as Mass
11 Media Bureau Exhibit No. 10,
12 was received into evidence.)

13 MR. ARONOWITZ: I next identify Mass Media Bureau
14 Exhibit No. 11, which is a July 27, 1995 response of
15 Monticello Mountaintop Broadcasting, Inc. to the letter of
16 inquiry. It is a document of 63 pages.

17 JUDGE STEINBERG: The document described will be
18 marked as Bureau Exhibit No. 11.

19 (The document referred to was
20 marked for identification as
21 Mass Media Bureau Exhibit No.
22 11.)

23 MR. RILEY: No objection.

24 MR. NAFTALIN: No objection.

25 JUDGE STEINBERG: Okay, Exhibit 11 is received.

1 (The document referred to,
2 having been previously marked
3 for identification as Mass
4 Media Bureau Exhibit No. 11,
5 was received into evidence.)

6 MR. ARONOWITZ: I next identify as Mass Media
7 Bureau Exhibit No. 12 a two-page documents of Carol Montana
8 from WJUX.

9 JUDGE STEINBERG: Okay, the document described
10 will be marked for identification as Bureau Exhibit 12.

11 (The document referred to was
12 marked for identification as
13 Mass Media Bureau Exhibit No.
14 12.)

15 MR. RILEY: Your Honor, individually the documents
16 are neither one objectionable, and I assume they will go
17 into the record as just these documents.

18 And the reason I raise that is that the Bureau's
19 index list of these documents of Carol Montana, WJUX,
20 somewhere, I think, in the Bureau's exchange they have
21 indicated that they are selections from documents furnished
22 by Ms. Montana or MMBI.

23 JUDGE STEINBERG: Okay.

24 MR. ARONOWITZ: Oh, absolutely.

25 MR. RILEY: But as the individual documents, I

1 have no objection to them. I just wouldn't want an argument
2 made that these are the only documents furnished by Ms.
3 Montana or MMBI with respect to her employment.

4 JUDGE STEINBERG: Okay. With that understanding,
5 Mr. Naftalin?

6 MR. NAFTALIN: No objection.

7 JUDGE STEINBERG: Exhibit 12 is received.

8 (The document referred to,
9 having been previously marked
10 for identification as Mass
11 Media Bureau Exhibit No. 12,
12 was received into evidence.)

13 JUDGE STEINBERG: Of course, you know, you can
14 introduce whatever other documents that you want at the
15 appropriate time.

16 Does anybody want a -- do you want to take a break
17 and see if we are all going to be poisoned by this odor?

18 MR. ARONOWITZ: I've got enough medication that
19 I'm fine.

20 MR. RILEY: Is this the construction that's going
21 on?

22 JUDGE STEINBERG: The whole building might be
23 burning down for all I know. But let's go off the record
24 and try to find out what's going on.

25 (Whereupon, a recess was taken.)

1 JUDGE STEINBERG: Okay, we're back on the record.

2 Mr. Aronowitz, I think 13 is your next one?

3 MR. ARONOWITZ: Okay, Your Honor, I identify for
4 the record as Mass Media Bureau Exhibit No. 13 a three-page
5 document which are documents of Eugene H. Blabey of WJUX,
6 and I state for the record that it is not complete; it is
7 just some excerpts from documents.

8 MR. RILEY: Yes, the same comment I made about Ms.
9 Montana. With that, I have no objection.

10 MR. NAFTALIN: No objection.

11 JUDGE STEINBERG: Okay, the document will be
12 marked for identification as Bureau Exhibit 13 and will be
13 received.

14 (The document referred to was
15 marked for identification as
16 Mass Media Bureau Exhibit No.
17 13, and was received into
18 evidence.)

19 MR. ARONOWITZ: Well, just trying to get
20 organized, Your Honor.

21 I next identify for the record Mass Media Bureau
22 Exhibit No. 14, which is a statement of Vincent E. Luna
23 dated October 23rd, with the attached August 9, 1995
24 statement.

25 Now, I have noted that this is an 11-page

1 document, but apparently we have two copies of the August
2 '95 statement in there, so in actuality it is a nine-page
3 document with the repetition.

4 MR. RILEY: Which pages are you going to withdraw;
5 248 and 249?

6 JUDGE STEINBERG: 238 and 239. Which one is
7 easier to read?

8 MR. ARONOWITZ: Let's take out 238 and 239.

9 MR. RILEY: Well, wait. I don't have those
10 numbers. Mine numbers -- we are talking about Gaghan here,
11 are we?

12 MR. ARONOWITZ: No.

13 JUDGE STEINBERG: No, we are on Exhibit 14.

14 MR. ARONOWITZ: Hold it, hold it, hold it.

15 MR. RILEY: Oh, I'm --

16 MR. ARONOWITZ: Everybody stop for a second.

17 MR. NAFTALIN: Take out 235 and 235 because --
18 Take out 235 and 236.

19 MR. RILEY: Oh, I've got them reversed. I'm
20 sorry.

21 MR. ARONOWITZ: Okay.

22 MR. RILEY: I've reversed them. Okay. We're
23 talking about Luna, okay.

24 JUDGE STEINBERG: Let's start again.

25 MR. RILEY: I'm sorry.

1 MR. ARONOWITZ: No, 236.

2 JUDGE STEINBERG: Let's start again. We've got
3 pages 229 through 236, correct?

4 MR. RILEY: Well, you know, Your Honor, I don't
5 have an objection to the exhibit, but in its entirety these
6 pages aren't identical. 236 has handwriting on the top
7 paragraph, in the margin and underlining something, and 238,
8 which is that same page, doesn't contain that handwriting.

9 JUDGE STEINBERG: I don't have any handwriting in
10 the margin. I have something underlined.

11 MR. RILEY: Well, an underline that begins on the
12 right margin.

13 JUDGE STEINBERG: Yes.

14 MR. RILEY: And then comes down and underlines it.

15 JUDGE STEINBERG: Let's leave the whole thing.
16 Let me just start. Bureau Exhibit 14, we've marked for
17 identification, and it's an 11 page exhibit beginning with
18 page 229, ending with page 239. Pages 229 through 237 are a
19 statement dated -- executed 22nd of October 1997. Pages 235
20 and 236 are an August 9, 1995 statement, and pages 238 and
21 239 are an August 9, 1995 statement. Whether they are the
22 same or different, we will find out. So that's marked for
23 identification as No. 14.

24 (The document referred to was
25 marked for identification as

1 Mass Media Bureau Exhibit No.

2 14.)

3 JUDGE STEINBERG: And no objections?

4 MR. NAFTALIN: No objection.

5 MR. RILEY: No objection, Your Honor.

6 JUDGE STEINBERG: Exhibit 14 is received.

7 (The document referred to,
8 having been previously marked
9 for identification as Mass
10 Media Bureau Exhibit No. 14,
11 was received into evidence.)

12 MR. ARONOWITZ: Thank you, Your Honor.

13 I next identify as Mass Media Bureau Exhibit No.
14 15, a statement of William Gaghan dated October 23, 1997,
15 with the attached August 10, 1995 statement. I think this
16 suffers from the same duplication. Nevertheless, the entire
17 document is 10 pages, so I will offer the whole 10.

18 JUDGE STEINBERG: Okay, it's executed the 22nd of
19 October, 1997, and I think you said the 23. So the document
20 described will be marked as Bureau Exhibit 15.

21 (The document referred to was
22 marked for identification as
23 Mass Media Bureau Exhibit No.
24 15.)

25 JUDGE STEINBERG: Any objections?

1 MR. NAFTALIN: No.

2 MR. RILEY: No objection, Your Honor.

3 JUDGE STEINBERG: Okay, 15 is received.

4 (The document referred to,
5 having been previously marked
6 for identification as Mass
7 Media Bureau Exhibit No. 15,
8 was received into evidence.)

9 MR. ARONOWITZ: Okay, I next identify for the
10 record as Mass Media Bureau Exhibit 16 an 11-page document,
11 statement of Serge Loginow, Jr., dated October 21, 1997.

12 JUDGE STEINBERG: Okay, the document described
13 will be marked for identification as Bureau Exhibit 16.

14 (The document referred to was
15 marked for identification as
16 Mass Media Bureau Exhibit No.
17 16.)

18 MR. RILEY: Your Honor, I have no objection but I
19 had -- I had said to Mr. Aronowitz while we were off the
20 record, and I will state it here. I think that counsel at
21 some point will need to agree which exhibit we're going to
22 cite to when the same document, exactly the same, appears in
23 a number of exhibits. Otherwise, the proposed findings will
24 look to be more divergent than they are.

25 JUDGE STEINBERG: Yes.

1 MR. RILEY: This statement of Mr. Loginow contains
2 what is identical to Bureau Exhibit 4.

3 JUDGE STEINBERG: Right.

4 MR. ARONOWITZ: Absolutely.

5 JUDGE STEINBERG: You can all work that out. This
6 has happened to me in other cases and it hasn't presented
7 any problem.

8 MR. RILEY: Oh.

9 MR. ARONOWITZ: Okay.

10 JUDGE STEINBERG: But when you write your findings
11 and conclusions, if you want to agree among yourselves which
12 ones to cite, that's fine. I would just -- did I identify
13 the -- yes, I did. I identified it.

14 I would just note for the record that attachments,
15 okay, on page 251 Mr. Loginow refers to Attachment C and
16 Attachment D, and they are not part of this exhibit. But
17 Attachment C is Bureau Exhibit 17, and Attachment D is
18 Bureau Exhibit 18, which we haven't gotten to.

19 MR. ARONOWITZ: Right, and --

20 JUDGE STEINBERG: Okay, just for clarification.
21 And just in case anybody reading this in the far distant
22 future is looking for -- I mean, assuming they have nothing
23 better to do -- is looking for Attachment C, it's not here,
24 and Attachment D.

25 An no objections?

1 MR. NAFTALIN: No objection.

2 MR. RILEY: No objection.

3 JUDGE STEINBERG: Okay, Exhibit 16 is received.

4 (The document referred to,
5 having been previously marked
6 for identification as Mass
7 Media Bureau Exhibit No. 16,
8 was received into evidence.)

9 MR. ARONOWITZ: I now identify for the record as
10 Mass Media Bureau Exhibit No. 17 a 66-page document.

11 JUDGE STEINBERG: Okay, I get 65, and I think Ms.
12 Friedman counted and she got 65 too.

13 Wasn't this one of the ones?

14 MS. FRIEDMAN: Yes.

15 JUDGE STEINBERG: Okay. So it's 65.

16 MR. ARONOWITZ: A 65-page document that is
17 entitled Attachment C to Statement of Serge Loginow, Jr.,
18 dated October 21, 1997, and they represent the interests of
19 Serge Loginow, Jr. to Monticello Mountaintop Broadcasting,
20 Inc's interrogatories.

21 MR. RILEY: Understanding, Your Honor, that Mr.
22 Loginow is appearing as a Bureau witness, and that with this
23 in the record Mr. Loginow may be examined about anything in
24 here, even though this goes beyond Bureau Exhibit 16, I
25 don't have an objection. I would not want this in the

1 record as something that could be cited to as a sworn
2 statement of Mr. Loginow unless this is being offered by the
3 Bureau knowing that Mr. Loginow may be examined on
4 everything that's in here.

5 JUDGE STEINBERG: If it's in here, he can be
6 examined on it.

7 MR. RILEY: It's not just -- I guess my point is
8 the Bureau is not offering this merely for official notice.
9 I want to be sure of that.

10 JUDGE STEINBERG: Right, you're not -- right.

11 MR. ARONOWITZ: And he'll be here.

12 JUDGE STEINBERG: This is for the truth of the
13 matters asserted.

14 MR. RILEY: Yeah, I know he will be here.

15 JUDGE STEINBERG: But isn't this for the truth of
16 the matters asserted, Mr. Aronowitz?

17 MR. ARONOWITZ: Yes.

18 MR. RILEY: Okay.

19 JUDGE STEINBERG: And on page --

20 MR. ARONOWITZ: This is his direct testimony.

21 JUDGE STEINBERG: And on page 269 he swears under
22 penalty of perjury that the answers are true and correct.

23 MR. RILEY: Right. Right.

24 JUDGE STEINBERG: Okay, any objection?

25 MR. NAFTALIN: I would just like to renew my

1 objections with respect to some of the attachments to -- I
2 renew the objections or concerns we had about some of the
3 attachments which were previously entered.

4 JUDGE STEINBERG: Okay.

5 MR. NAFTALIN: Other than that, I'm fine.

6 JUDGE STEINBERG: Okay, did I -- I don't think I
7 identified it, did I?

8 The document described by Mr. Aronowitz, a 65-page
9 document, will be identified as Bureau Exhibit 17 and is
10 received.

11 (The document referred to was
12 marked for identification as
13 Mass Media Bureau Exhibit No.
14 17, and was received into
15 evidence.)

16 MR. ARONOWITZ: So I believe now I identify for
17 the record as Mass Media Bureau Exhibit No. 18 a 22--page
18 document which is Attachment D to the statement of Serge
19 Loginow, Jr., dated October 21, 1997, and these would be the
20 answers to Serge Loginow, Jr. and the Mass Media Bureau Mr.
21 Turro's interrogatories; a letter date from Bureau council
22 to Charles Naftalin, counsel for Gerard Turro, dated
23 September 9, 1997.

24 MR. RILEY: Are you in Exhibit 18, Your Honor?

25 MR. ARONOWITZ: I believe so.

1 JUDGE STEINBERG: Yes.

2 MR. RILEY: Okay.

3 JUDGE STEINBERG: Okay, the document described --

4 MR. RILEY: Oh, oh, oh, okay, I see that. I'm
5 sorry, Your Honor. I missed one.

6 JUDGE STEINBERG: Yes, it's got the Bureau letter
7 at the end.

8 MR. RILEY: Yes.

9 JUDGE STEINBERG: Okay, the document described
10 will be marked for identification as Bureau Exhibit No. 18.

11 (The document referred to was
12 marked for identification as
13 Mass Media Bureau Exhibit No.
14 18.)

15 JUDGE STEINBERG: Let me just note that on page
16 339 Mr. Loginow swears under penalty of perjury that the
17 answers are true and correct, so this will go in for all
18 purposes, and he can be questioned about anything in here.

19 MR. NAFTALIN: One question about that, Your
20 Honor. Starting on Bates stamp page 345 we have a copy of a
21 letter --

22 JUDGE STEINBERG: Right.

23 MR. NAFTALIN: -- that Mr. Aronowitz sent to me.

24 JUDGE STEINBERG: That's official notice.

25 MR. NAFTALIN: Okay. You have taken that -- okay.

1 I just wanted to make sure.

2 JUDGE STEINBERG: So up through page 344 is for
3 all purposes. Pages 345 through 48 are for official notice
4 purposes.

5 MR. NAFTALIN: Well, I'm sorry. I believe that
6 letter was offered to clarify a matter of fact in the
7 record.

8 JUDGE STEINBERG: Okay.

9 MR. NAFTALIN: How is that going to work?

10 JUDGE STEINBERG: is that correct, Mr. Aronowitz?

11 MR. NAFTALIN: There are assertions in there --

12 MR. ARONOWITZ: I believe that's correct. Let me
13 go to that letter.

14 JUDGE STEINBERG: It begins at page 345.

15 MR. NAFTALIN: It was intended to be a
16 clarification.

17 JUDGE STEINBERG: Okay, so basically you would
18 stipulate that the facts that you outline in your letter --
19 you would stipulate to those facts, is that --

20 MR. NAFTALIN: That's fine with me, Your Honor. I
21 also want to be able, to the extent necessary, if there are
22 matters asserted in here would Mr. Loginow be competent to
23 be cross-examined about.

24 JUDGE STEINBERG: I will allow you to.

25 MR. NAFTALIN: Okay.

1 JUDGE STEINBERG: And we will see what his answers
2 are.

3 MR. NAFTALIN: All right. Fair enough.

4 JUDGE STEINBERG: So let me just say the entirety
5 of the exhibit is received for all purposes. How about
6 that?

7 MR. NAFTALIN: That's fine.

8 JUDGE STEINBERG: And then, for instance, if you
9 elicit information from Mr. Loginow that's different from
10 the information contained in the September 9th letter, we
11 will go with Mr. Loginow's testimony.

12 MR. NAFTALIN: Okay. That's great.

13 MR. ARONOWITZ: That's fine.

14 JUDGE STEINBERG: So Exhibit 18 is received, if I
15 haven't said it before.

16 (The document referred to,
17 having been previously marked
18 for identification as Mass
19 Media Bureau Exhibit No. 18,
20 was received into evidence.)

21 MR. ARONOWITZ: I next identify for the record
22 Mass Media Bureau Exhibit 19, which is a 16-page document.
23 It's the First Set of Interrogatories of Monticello
24 Mountaintop Broadcasting, Inc. to the Mass Media Bureau and
25 Serge Loginow, Jr.

1 JUDGE STEINBERG: The document described will be
2 marked for identification as Bureau Exhibit 19.

3 (The document referred to was
4 marked for identification as
5 Mass Media Bureau Exhibit No.
6 19.)

7 MR. RILEY: Your Honor, I have no objection to it
8 with the understanding that it is in the record so that
9 Exhibit 17 is understandable; and that to the extent that
10 Exhibit 19 may make what appear to be fact statements, they
11 are interrogatories by counsel for MMBI. They are not
12 independently citeable as factual references.

13 JUDGE STEINBERG: Right.

14 MR. NAFTALIN: No objection.

15 JUDGE STEINBERG: Okay, Exhibit 19 is received.

16 (The document referred to,
17 having been previously marked
18 for identification as Mass
19 Media Bureau Exhibit No. 19,
20 was received into evidence.)

21 MR. ARONOWITZ: I now identify for the record as
22 Mass Media Bureau Exhibit 20 a 14-page document,
23 Interrogatories of Gerard Turro to Serge Loginow, Jr. and
24 the Mass Media Bureau. With Mr. Riley's concerns noted, I
25 offer that up.

1 JUDGE STEINBERG: Okay, the document described
2 will be marked for identification as Bureau Exhibit 20.

3 (The document referred to was
4 marked for identification as
5 Mass Media Bureau Exhibit No.
6 20.)

7 MR. RILEY: I have no objection.

8 MR. NAFTALIN: No objection.

9 JUDGE STEINBERG: Exhibit 20 is received.

10 (The document referred to,
11 having been previously marked
12 for identification as Mass
13 Media Bureau Exhibit No. 20,
14 was received into evidence.)

15 MR. ARONOWITZ: I now offer as Mass Media Bureau
16 Exhibit No. 21 a 74-page document entitled "The Mass Media
17 Bureau's First Request for Admissions of Fact and
18 Genuineness of Documents to Gerard A. Turro."

19 JUDGE STEINBERG: The document described will be
20 marked as Bureau Exhibit 21.

21 (The document referred to was
22 marked for identification as
23 Mass Media Bureau Exhibit No.
24 21.)

25 JUDGE STEINBERG: Okay, let me just, before we get

1 to the objections, if any, Mr. Turro's response is at Bureau
2 Exhibit 22, and in his response he admits to some of the
3 requests. He admits to some of the requests, but provides a
4 little further information. He denies some of the requests,
5 and he denies some of the request and provides further
6 Information. You can't read 21 out of context of 22. So
7 that if you're going to use -- and this goes with respect to
8 the other admissions requests in the record.

9 MR. ARONOWITZ: Yes, the next couple of them are
10 coupled if you will.

11 JUDGE STEINBERG: Right. Okay, but everybody
12 understands that just because the Bureau requests an
13 admission, that doesn't make it a fact. What we look to is
14 the answer and whatever the answer was is the fact.

15 Okay, everybody understand that?

16 MR. NAFTALIN: I understood that to be Mr. Riley's
17 point from a few minutes ago.

18 JUDGE STEINBERG: Right.

19 MR. NAFTALIN: That you can't read one without the
20 other.

21 JUDGE STEINBERG: Right. Okay.

22 MR. ARONOWITZ: Absolutely. And the next couple
23 of these, they are like bookends.

24 JUDGE STEINBERG: Right.

25 MR. ARONOWITZ: Just the way we did it nobody put

1 a complete document together, so you just need them to read
2 each other.

3 JUDGE STEINBERG: Okay. So any objection to 21?

4 MR. NAFTALIN: No objection.

5 MR. RILEY: No, objection, Your Honor.

6 JUDGE STEINBERG: Twenty-one is received.

7 (The document referred to,
8 having been previously marked
9 for identification as Mass
10 Media Bureau Exhibit No. 21,
11 was received into evidence.)

12 MR. ARONOWITZ: I now identify for the record as
13 Mass Media Bureau Exhibit No. 22 a 12-page document which is
14 Mr. Turro's First Admissions Back on Genuineness of
15 Documents to the Mass Media Bureau.

16 JUDGE STEINBERG: The document described will be
17 marked for identification as Bureau No. 22.

18 (The document referred to was
19 marked for identification as
20 Mass Media Bureau Exhibit No.
21 22.)

22 MR. RILEY: No objection.

23 MR. NAFTALIN: No objection.

24 JUDGE STEINBERG: Twenty-two is received.

25 //

1 (The document referred to,
2 having been previously marked
3 for identification as Mass
4 Media Bureau Exhibit No. 22,
5 was received into evidence.)

6 MR. ARONOWITZ: I now identify for the record Mass
7 Media Bureau Exhibit 23 an 85-page document, Mass Media's
8 First Request for Issues of Fact and Genuineness of
9 Documents to Monticello Mountaintop Broadcasting, Inc.. Mr.
10 Riley's concern noted that proposed Exhibit 24 will be the
11 response to that, a matching set.

12 JUDGE STEINBERG: The document described will be
13 marked for identification as Bureau Exhibit 23.

14 (The document referred to was
15 marked for identification as
16 Mass Media Bureau Exhibit No.
17 23.)

18 MR. RILEY: And I have no objection.

19 MR. NAFTALIN: No objection.

20 JUDGE STEINBERG: Okay, 23 is received.

21 (The document referred to,
22 having been previously marked
23 for identification as Mass
24 Media Bureau Exhibit No. 23,
25 was received into evidence.)